

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Jeffrey Thomas Peterson,

Civil No. 11-813 (DWF/JSM)

Petitioner,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Lori Swanson, Minnesota Attorney General,

Respondent.

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Jeffrey Thomas Peterson, *Pro Se*, Petitioner.

David M. Gilbertson, Esq., Nelson Oyen Torvik PLLP, counsel for Respondent.

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The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated April 21, 2011. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and upon all of the files, records and proceedings herein, the Court now makes and enters the following Order.

**IT IS HEREBY ORDERED** that:

1. Petitioner's application for a writ of habeas corpus, (Doc. No. [1]), is **DENIED**;
2. Petitioner's "Motion to Accept All Appendix and Brief's," (Doc. No. [2]), is **DENIED AS MOOT**;

3. Petitioner's application for leave to proceed *in forma pauperis*, (Doc. No. [4]), is **DENIED AS MOOT**;
4. This action is **DISMISSED WITH PREJUDICE**; and
5. Petitioner will **NOT** be granted a Certificate of Appealability.

Dated: May 18, 2011

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge